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| 09/873,702 | 06/04/2001 | Jong-Cheol Bae | 678-0670 | 4963 |
| 66547 7590 08/13/2009 THE FARRELL LAW FIRM, LLP 290 Broadhollow Road Suite 210E Melville, NY 11747 | | | | |
| EXAMINER | | | | |
| DEAN, RAYMOND S | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/873,702

Applicant(s)

BAE, JONG-CHEOL

Examiner

RAYMOND S. DEAN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3, 5 have been considered but are moot in view of the new ground(s) of rejection.

The codes for the types of messages provided by Alanara and the codes for the contents of said messages provided by Gaskill will be transmitted to users or recipients on a plurality of future times. The codes for the types and contents will thus need to be stored for use during these future times. The storage for said codes is the code table. These codes also have been previously determined and assigned to the types and contents thus enabling a recipient to know that type and content of a message when said recipient receives said message.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al. (6,097,949) in view of Alanara (5,604,921) and in further view of Gaskill et al. (5,481,254)

Regarding Claim 1, Jung teaches a method of transmitting broadcasting information to a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 - 37), and transmitting the generated message by utilizing the CBS (Column 2 lines 23 - 37).

Jung does not specifically teach a method comprising: converting broadcasting information to a predetermined message code that includes code for both type and contents of the broadcasting information based on codes previously assigned to generic types and contents of broadcasting information and stored in a code table; generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information; and wherein the converted predetermined message code includes a code that is predetermined for at least one word for indicating the contents of the broadcasting information.

Alanara, which also teaches a broadcast messaging service, teaches a method comprising: converting broadcasting information to a predetermined message code that includes code for a type of the broadcasting information based on codes previously assigned to generic types of broadcasting information and stored in a code table (Cols. 2 lines 9 - 14, 6 lines 34 - 35, lines 36 - 38, the code for the type is the code for the message category, See Response To Arguments above) and generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information (Cols. 2 lines 9 - 14, 6 lines 34 - 35, lines 36 - 38); and

wherein the converted predetermined message code includes a code that is predetermined for at least one word for indicating the contents of the broadcasting information (Cols. 2 lines 9 – 14, 6 lines 34 – 35, lines 36 – 38, the code for the type is predetermined and is a code word).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the system of Alanara for the purpose of enabling a user to specify what types of broadcast messages that the user is interested in receiving as taught by Alanara.

Gaskill teaches a predetermined message code that includes a code for contents of the broadcasting information based on codes previously assigned to generic contents of broadcasting information and stored in a code table (Cols. 1 lines 32 – 36, 5 lines 32 – 42, See Response To Arguments above).

Jung in view of Alanara and Gaskill teach a wireless broadcasting system in which general interest information such as weather content is provided to a group of mobile users thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above coding method of Gaskill as an alternative means for achieving the predictable result of providing weather content to a group of mobile users.

Regarding Claim 2, Jung in view of Alanara and in further view of Gaskill teaches all of the claimed limitations recited in Claim 1. Gaskill further teaches wherein if the broadcasting information is weather information, the predetermined message code includes an area code, a date code, a time code, and a weather code (Col. 5 lines 32 –

42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 3, Jung teaches a method of receiving broadcasting information in a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 - 37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach a method comprising: checking a header of a CBS message upon receipt of the CBS message; and if the header indicates there is a coded message, recovering broadcasting information by comparing a message code of the CBS message with a predetermined code previously assigned to generic types and contents of broadcasting information and stored in a code table that includes code for both type and contents indicated by the header of the CBS message,.

Alanara also teaches a method comprising: checking a header of a broadcast message upon receipt of the broadcast message (Cols. 2 lines 15 – 23, 6 lines 34 – 35, lines 36 – 38, the user can specify what kinds of broadcast messages said user desires thus in order for the user to receive the desired message, such as sports related messages, the header will need to be checked in order to determine the message category and thus the type of message) and a code previously assigned to generic types of broadcasting information and stored in a code tagble that includes code for a type indicated by the header of the broadcast message, if the header indicates there is a coded message (Col. 6 lines 34 – 35, lines 36 – 38, a typical format in short

messages comprises short hand formats which comprise a finite number of terms that can be used to express the whole content of the message, the short hand terms are therefore codes, since the messages can be encoded with these short hand terms a scenario wherein the header indicates that there is a coded message arises, See also Response To Arguments above). Alanara further teaches wherein the header indicates the contents of the message (Col. 6 lines 34 – 35, lines 36 – 38, if the message type or category is known then the content is also known thus the header further indicates the content).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the system of Alanara for the purpose of enabling a user to specify what types of broadcast messages that the user is interested in receiving as taught by Alanara.

Gaskill teaches a message code previously assigned to generic contents of broadcasting information and stored in a code table that includes a code for contents of the broadcasting information (Cols. 1 lines 32 – 36, 5 lines 32 – 42, See Response To Arguments set forth above).

Jung in view of Alanara and Gaskill teach a wireless broadcasting system in which general interest information such as weather content is provided to a group of mobile users thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above coding method of Gaskill as an alternative means for achieving the predictable result of providing weather content to a group of mobile users.

Regarding Claim 4, Jung in view of Alanara and in further view of Gaskill teaches all of the claimed limitations recited in Claim 3. Gaskill further teaches wherein if the broadcasting information is weather information, the message code includes an area code, a date code, a time code, and a weather code (Col. 5 lines 32 – 42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 5, Jung teaches a method of transmitting and receiving broadcasting information by a cell broadcasting service (CBS) in a mobile telecommunication system (Column 2 lines 23 - 37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach converting broadcasting information to a predetermined message code that includes for both type and contents of the broadcasting information based on codes previously assigned to generic types and contents of broadcasting information and stored in a transmitter code table; generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information; transmitting the generated message by utilizing the CBS; receiving the CBS message; checking the header of the CBS message upon receipt of the CBS message in a mobile station; and if the header indicates there is a coded message, recovering the broadcasting information by comparing a message code of the CBS message with a predetermined code previously assigned to the generic types and

contents of broadcasting information and stored in a receiver code table corresponding to the type and contents indicated by the header of the CBS message.

Alanara teaches a method comprising: converting broadcasting information to a predetermined message code that includes code for type of the broadcasting information based on codes previously assigned to generic types of broadcasting information and stored in a transmitter code table (Cols. 2 lines 9 – 14, 6 lines 34 – 35, lines 36 – 38, the code for the type is the code for the message category, See Response To Arguments above) and generating a message having the converted predetermined message code and a header indicating the type of the broadcasting information in a format predetermined depending on the type of the broadcasting information (Cols. 2 lines 9 – 14, 6 lines 34 – 35, lines 36 – 38); transmitting the generated message by utilizing the broadcast (Col. 6 lines 34 – 38); receiving the broadcast message; checking the header of the broadcast message upon receipt of the broadcast message in a mobile station (Cols. 2 lines 15 – 23, 6 lines 34 – 35, lines 36 – 38, the user can specify what kinds of broadcast messages said user desires thus in order for the user to receive the desired message, such as sports related messages, the header will need to be checked in order to determine the message category and thus the type of message); and a code previously assigned to the generic types of broadcasting information and stored in a receiver code table corresponding to the type and contents indicated by the header of the broadcast message, if the header indicates there is a coded message (Col. 6 lines 34 – 35, lines 36 – 38, a typical format in short messages comprises short hand formats which comprise a finite number of terms that

can be used to express the whole content of the message, the short hand terms are therefore codes, since the messages can be encoded with these short hand terms a scenario wherein the header indicates that there is a coded message arises, if the message type or category is known then the content is also known thus the header further indicates the content, See Response To Arguments above).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CBS system of Jung with the system of Alanara for the purpose of enabling a user to specify what types of broadcast messages that the user is interested in receiving as taught by Alanara.

Gaskill teaches a predetermined code corresponding to the contents of the broadcasting information based on codes previously assigned to generic contents of broadcasting information and stored in a transmitter code table (Cols. 1 lines 32 – 36, 5 lines 32 – 42, See Response To Arguments set forth above).

Jung in view of Alanara and Gaskill teach a wireless broadcasting system in which general interest information such as weather content is provided to a group of mobile users thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above coding method of Gaskill as an alternative means for achieving the predictable result of providing weather content to a group of mobile users.

Regarding Claim 6, Jung in view of Alanara and in further view of Gaskill teaches all of the claimed limitations recited in Claim 5. Gaskill further teaches wherein if the broadcasting information is weather information, the message code includes an area

code, a date code, a time code, and a weather code (Col. 5 lines 32 – 42, typical local weather information comprises area, date, time, and weather thus the code will comprise an area code, date code, time code, and weather code).

Regarding Claim 7, Jung in view of Alanara and in further view of Gaskill teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and displaying the CBS message if the display state is active (Column 3 lines 26 – 42, the display state will become active for those mobile devices in Group A thus there is a determination of said display state).

Regarding Claim 8, Jung in view of Alanara and in further view of Gaskill teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and storing the CBS message if the display state is not active (Column 3 lines 26 – 46, the display state will not become active for those mobile devices in Group B thus there is a determination of said display state, since this is a CBS message all mobile devices will simultaneously receive and store said message).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAYMOND S. DEAN whose telephone number is (571)272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raymond S Dean/
Examiner, Art Unit 2618

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Raymond S. Dean
August 6, 2009